



Conference Report to Accompany H.R. 1429 - Head Start for School Readiness Act

FLOOR SITUATION

The conference report for H.R. 1429 is being considered on the floor pursuant to the following rule:

- Waives all points of order against the conference report and against its consideration.
- Provides that the conference report shall be considered as read.

The legislation was introduced by Representative Dale Kildee (D-MI) on March 9, 2007. The bill was ordered to be reported from the Committee on Education and Labor on March 23, 2007.

The bill passed the House by a vote of 265 to 48 on May 2, 2007. The vote analysis is below:

	<u>AYES</u>	<u>NOES</u>	PRES	<u>NV</u>
DEMOCRATIC	223			8
REPUBLICAN	142	48		11
INDEPENDENT				
TOTALS	365	48		19

**Note: During the 109th Congress, Representative Mike Castle (R-DE) introduced similar legislation (HR 2123), which passed the House of Representatives by a vote of 231 to 184.*

The Senate passed a Head Start re-authorization bill on June 19, 2007 by unanimous consent.

The House and Senate went to conference on the bill on November 8, 2007 and the conference report was filed the next day.

The conference report for HR 1429 is expected to be considered on the House floor on November 13, 2007.

BACKGROUND

Head Start was established in 1965 by President Lyndon B. Johnson as part of the War on Poverty to provide early childhood development services to low-income children. Head Start is the federal government's largest effort to prepare the nation's most disadvantaged children for school.

Head Start provides a range of services including education, nutrition, health, and parent training, to over 900,000 children and their families living in poverty. The program is administered by the Department of Health and Human Services (HHS). Federal Head Start funds are provided directly to local grantees, rather than through States. Programs are locally designed and administered by a network of more than 1,600 public and private non-profit and for-profit agencies, or by grantees who operate about 2,600 programs nationwide. Grantees are required to reserve at least ten percent of their slots for children with disabilities. In 1994, Early Head Start was established to serve pre-natal mothers and infants and toddlers under the age of three.

Head Start was last reauthorized in 1998 for FY1999-FY2003. Head Start funding for the entirety of FY2007 was not settled until after four continuing resolution measures were passed, the first three providing temporary funding at Head Start's FY2006 annual rate. Ultimately, the fourth CR ([H.J.Res. 20](#)), signed into law ([P.L. 110-5](#)) on February 15, 2007, included \$6.889 billion for Head Start, an increase of approximately \$100 million above the FY2006 level provided in the Labor-HHS-Education Appropriations Act ([P.L. 109-149](#)). Supplemental dedicated funding for Head Start was included in the FY2006 Defense Appropriations Act ([P.L. 109-148](#)), which provided \$90 million for Head Start to serve children displaced by the Gulf Coast hurricanes of 2005 and to help with the costs of renovating affected facilities. (Of the \$90 million provided, only \$74 million was awarded, based on grantee requests.) The President's budget for FY2008 proposes funding Head Start at \$6.789 billion, the same as FY2006, but \$100 million less than what was ultimately provided for FY2007 (CRS: [RL30952 -- Head Start: Background and Issues](#)).

SUMMARY

Authorization of Funds

The conference report authorizes the following levels of funding:

- FY 2008: \$7.35 billion;
- FY 2008: \$7.65 billion;
- FY 2009: \$7.995 billion;
- FY 2010: Such sums as are necessary; and
- FY 2011: Such sums as are necessary

**Note: The House-passed version included such sums as are necessary for all years, except FY 2008, which was funding at \$7.35 billion.*

Allotment of Funds

The conference report provides a three phase approach for funding of Head Start Agencies. Each phase (beyond Phase I) is dependent on excess funds. The phases are as follows:

Phase I: Each Head start Agency receives funding equal to the base grants for the prior years. The Secretary shall also reserve between 2.5% and 3% of funding for technical assistance, \$20 million for research, demonstration and evaluation, and \$42 million for monitoring activities of Head Start agencies.

Phase II: If funds are remaining after Phase I, a cost of living adjustment (COLA) is provided to each Head Start agency. Additionally, \$10 million each (with a maximum of \$50 million over all fiscal years) will be provided to the Indian Head Start program and the Migrant and Seasonal Head Start program (in order to increase enrollment). If funds were not sufficient to complete all of these activities, the placement of funds would be adjusted.

Phase III: If funds are remaining after Phase II, 40% of the funds would be used for quality improvement activities, 45% of the funds would be used for expansion of Head Start programs (50% to Early Head Start and 50% to Head Start), and 15% would be used for activities of State Advisory Councils (until funding reaches \$100 million).

Children with Disabilities

The conference report requires at least 10% of Head Start enrollees to be children with disabilities.

Transportation Safety

The conference report requires background checks for contractors that are involved with the transportation of children in Head Start programs.

Homeless Children

The conference report requires the Secretary to issue rules to remove barriers to the enrollment and participation of homeless children.

**Note: Homeless children are among the groups permitted to participate in Head Start programs under the participation guidelines described below.*

Designation of Head Start Agencies

Until a system of designation renewal is established, the following may be designated for renewal under current procedures: any local public or private non-profit (including community based and faith-based organizations) or for profit agencies within a community.

The Secretary is required to convene (within three months) an expert panel consisting of seven members. The panel is charged with providing recommendations of the development of a transparent, reliable and valid system for designation approval. The panel will be required to submit a report within nine months. The report should take into account the following criteria:

- Program reviews
- Annual audits
- Classroom quality
- Program information reports

The Secretary is required to implement the system within twelve months of receiving the report in order to determine whether a grantee is a high quality and comprehensive program and whether the grantee has any unresolved deficiencies.

If the grantee is found to be delivering a high quality program, the grantee will be designated as a Head Start agency for five years. If the grantee is not found to be a high quality program, the grantee can compete in an open competition.

**Note: If an Indian Head Start agency is found to not be a high quality program, the agency is required to work with the Secretary to develop a six month plan and will be subject to re-evaluation).*

All of the reviews of grantees will be done within three years of the system being implemented.

Standards

The conference report requires the Secretary to review and revise as necessary the Head Start program performance standards to better support classroom instructional practices, identification of special needs, and program evaluation. The areas to be reviewed include:

- Services provided (health, nutritional, parental involvement, transitional, and social services);
- Education performance standards to ensure children develop and demonstrate language knowledge and skills, literacy knowledge and skills, math knowledge and skills, science knowledge and skills, cognitive abilities related to academic achievement approaches to learning related to child development, social and emotional development, abilities in creative arts, and physical development;
- Administrative and financial management standards; and
- Standards relating to the condition and location of facilities

Family Involvement

The conference report requires Head Start agencies:

- To provide for the regular participation of parents;
- Seek involvement of parents, community residents and local businesses in the design of the program;
- Offer family literacy services, parenting skills training and substance abuse counseling; and
- Provide other opportunities that seek to involve parents in Head Start

Program Governance

Governing Body:

The conference report requires each Head Start agency to have a governing body. The members of the governing body shall include at least one member with a background in fiscal management, at least one member with a background in early childhood education, and at least one member that is a licensed attorney. Other members should include members of the community, including current and former parents of Head Start students.

The governing body will have legal and fiscal responsibility for administering and overseeing the programs, including the safeguarding of federal funds, ensuring compliance with federal laws, reviewing policies, establishing procedures, reviewing applications for funding, approving financial expenditures and the annual budget, and establishing personnel policies.

Policy Council:

The conference report requires each Head Start agency to have a policy council, which is responsible for providing the direction of the program, program design, and planning goals and objectives. The council will also be responsible for approving the activities for parental involvement, program recruitment and enrollment priorities, budget planning, bylaws, employment of program staff, and the policy council election procedures.

The policy council will be elected by the parents of Head Start students. The council will be made up of community members, with a majority of members being the parents of current students.

Participation

The conference report establishes the following criteria for participation in Head Start programs:

- Families whose income are below the poverty level or qualify for public assistance
- Homeless children

- Children that would benefit, but are not eligible (maximum of 10% on enrollees)
- Families that have incomes that are 130% of the poverty level (maximum of 35%)

Technical Assistance and Training

The conference report requires the Secretary to provide technical assistance and training for Head Start programs in order to improve program quality. A priority will be given to correct program and management deficiencies.

Staff Qualifications

The conference report outlines qualifications for Head Start staff.

Teacher: At least 50% of teaches (by September 20, 2013) are required to have a baccalaureate or an advanced degree in early childhood development or baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood with experience teaching pre-school aged children.

Head Start Education Coordinators: All education coordinators are required (by September 30, 2013) to have a baccalaureate or advanced degree in early childhood education or advanced degree in early childhood development or baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood with experience teaching pre-school aged children.

Teaching Assistants: All teaching assistants are required to have a child development associate credential and be enrolled in a program leading to an associate or baccalaureate degree or be enrolled in a child development associate credential program to be completed within two years.

Prohibition on Political Activities

The conference report prohibits political activities at Head Start agencies, including voter transportation or voter registration activities that are performed by Head Start employees.

**Note: The Senate-passed bill allowed for voter registration activities at Head Start facilities.*

Centers for Excellence

The conference report allows the Secretary to designate up to 200 Exemplary Head Start agencies and make bonus grants to them, which will be at least \$200,000.

Other Issues of Note

The conference report removes a provision to the House-passed bill (added on the House floor by the Democratic leadership to give political cover to their Members), which would continue to allow faith-based entities to be eligible to participate in the same

manner as other non-profit and community-based organizations. Faith-based groups, however, continue to be eligible to provide Head Start services and are allowed to be designated as Head Start agencies.

**Note: The Republican Motion to Recommit H.R. 1429 in the House would have allowed faith-based groups that are participating in the Head Start program to take religion into account in their hiring practices and that these organizations not be discriminated against based on their religious character (not required to alter their form of governance or remove religious symbols if they participate in the program). The motion failed by a vote of 195 to 222, with 220 Democrats voting no.*

The conference report also limits the salary of a Head Start employee to \$168,000 – the same level as an Assistant Secretary.

**This provision was the subject of the Republican Motion to Instruct Conferees, which passed by a vote of 400 to 0 (Roll Call Vote 1045).*

STAFF CONTACT

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